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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|-----------------------|
| 09/658,632 | 09/08/2000 | Nimrod Megiddo | ARC9-2000-0029-US1 | 5946 |
| 26381 | 7590 | 07/13/2004 | EXAMINER | |
| LACASSE & ASSOCIATES, LLC 1725 DUKE STREET SUITE 650 ALEXANDRIA, VA 22314 | | | | OUELLETTE, JONATHAN P |
| ART UNIT | | PAPER NUMBER | | |
| | | 3629 | | |

DATE MAILED: 07/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|-----------|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/658,632 | MEGIDDO ET AL. | |
| | Examiner | Art Unit | <i>MW</i> |
| | Jonathan Ouellette | 3629 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 May 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,5,7,9-12,14,15,18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,5,7,9-12,14,15,18 and 19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date 4.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION***Response to Amendment***

1. Claims 3-4, 6, 8, 13, 16-17, and 20-25 have been cancelled; therefore, Claims 1-2, 5, 7, 9-12, 14-15 and 18-19 are currently pending in application 09/658,632.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2, 5, 7, 9-12, 14-15 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dustin et al. (US 6,496,857).**

4. As per independent Claims 1, 11, 18, and 19, Dustin discloses a method (*system, computer-based e-commerce method*) for enhancing the effectiveness of on-line advertising, said on-line advertising performed over a communications network including one or more of: a web site, an ad web site that includes an add database (Ad Management System)(Fig.1B), at least one remote terminal, and a communication network interconnecting said web site, ad web site and said remote terminal, said method comprising the following steps: processing a request of one or more web pages from said web site (*using browser software*); receiving

one or more ads associated with each of said one or more web pages and displaying said one or more web pages and associated ads at said remote terminal; retaining in computer storage (*browser cache*) previously viewed web pages and associated one or more ads (*and maintaining information about hyperlinks contained in said previously viewed web pages*); receiving a request to retrieve one or more previously displayed ads from said computer storage; retrieving and rendering said requested one or more ads at said remote terminal, thereby enhancing the effectiveness of said on-line advertising () .

5. Dustin fails to expressly disclose wherein when a previously viewed web page stored in said computer storage (cache) is revisited as a new page, differences between said new page and said previously viewed web page are determined in terms of their associated hyperlinks, and ads associated with said new page and said previously viewed web page are displayed at said remote terminal (in one or more windows separate from a window displaying said revisited new page).
6. However Dustin does disclose persistently updating hyperlinks (inherent to compare new material with old for updating process) related to the saved advertising material, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the web ads in separate pages than that currently being displayed (C8 L26-46).
7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein when a previously viewed web page stored in said computer storage (*cache*) is revisited as a new page, differences between said new page and said previously viewed web page are

determined in terms of their associated hyperlinks, and ads associated with said new page and said previously viewed web page are displayed at said remote terminal (*in one or more windows separate from a window displaying said revisited new page*), in the system disclosed by Dustin, for the advantage of providing a method (system, computer-based e-commerce method) for enhancing the effectiveness of on-line advertising, with the ability to increase the effectiveness/efficiency of the system by providing users with updated/non-expired ad information.

8. As per Claims 2 and 12, Dustin discloses wherein said computer storage comprises a bookmark memory storing said received ads associated with web pages and an intelligent browser cache storing said displayed web pages and hyperlinks contained in said displayed web pages.
9. As per Claims 5 and 14, Dustin discloses wherein said bookmark memory is either permanently maintained or temporarily kept for a predetermined period of time.
10. As per Claim 7, Dustin discloses wherein said ads from said new page and said previously viewed web pages are displayed at said remote terminal in one or more windows separate from a window displaying said revisited new page (see rejection of Independent Claim 1, 11, 18, and 19).
11. As per Claims 9, Dustin discloses wherein said on-line advertising may be implemented locally or remotely on one or more computer-based systems, across networks or communication mediums.

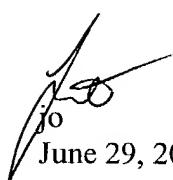
12. As per Claims 10, Dustin discloses wherein said communication network comprises any of LANs, WANs, Internet or web-based networks.
13. As per Claim 15, Dustin discloses a comparator to determine differences between a new page and a previously viewed web page in terms of their associated hyperlinks (see rejection of Independent Claim 1, 11, 18, and 19).

Response to Arguments

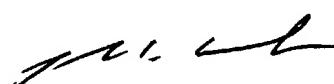
14. Applicant's arguments filed 5/25/04, with respect to Claims 1-2, 5, 7, 9-12, 14-15 and 18-19, have been considered but are moot in view of the new ground(s) of rejection.
15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
16. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

17. Additional Non-Patent Literature has been referenced on the attached PTO-892 form, and the Examiner suggests the applicant review these documents before submitting any amendments.
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.
20. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.



June 29, 2004



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600